

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

VESKO BORISLAVOV ANANIEV,

No. C 12-2275 SI

Plaintiff,

**ORDER RE: DEFENDANTS' MOTION  
TO DISMISS FIRST AMENDED  
COMPLAINT**

v.

AURORA LOAN SERVICES LLC, *et al.*,

Defendants.

---

On May 7, 2012, *pro se* plaintiff Vesko Borislavov Ananiev filed this lawsuit against defendants Aurora Loan Services, LLC (“ALS”), Aurora Bank, FSB (“Aurora Bank”), The Wolf Firm (“Wolf”), Rosenthal, Withem & Zeff, Robert L. Rosenthal, Esq., Michael D. Zeff, Esq., and Does 1-10, inclusive. On June 1, 2012, defendants ALS and Aurora Bank moved to dismiss the complaint and moved to strike plaintiff’s prayer for punitive damages. On July 3, 2012, while the motion to dismiss was pending, plaintiff filed a first amended complaint (“FAC”) and an *ex parte* motion for a temporary restraining order and preliminary injunction against all defendants. Plaintiff did not have permission to file the FAC.

In an order filed July 10, 2012, the Court dismissed the original complaint, denied plaintiff’s motion for a temporary restraining order and preliminary injunction, and granted plaintiff leave to file a new amended complaint by July 23, 2012. On July 19, 2012 defendants Rosenthal, Withem & Zeff, Robert L. Rosenthal, Esq., and Michael D. Zeff, Esq., filed a motion to dismiss the FAC. On July 23, 2012, plaintiff filed a second amended complaint. Docket No. 21.

1        In light of the filing of the second amended complaint, the Court DENIES as moot defendants'  
2 motion to dismiss the first amended complaint. Defendants may file a motion to dismiss the second  
3 amended complaint.

4        This order resolves Docket No. 19.

5

6        **IT IS SO ORDERED.**

7        Dated: July 25, 2012

8



---

SUSAN ILLSTON  
United States District Judge

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28